

UNITED STATES DISTRICT COURT

for the

Southern District of Indiana

United States of America

v.

Tony P. McMillin

Case No: 2:02CR00018-11

USM No: 06902-028

Date of Original Judgment: 07/29/2014

Date of Previous Amended Judgment: _____

(Use Date of Last Amended Judgment if Any)

Pro Se

Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____.

(Complete Parts I and II of Page 2 when motion is granted)

Because of the amount of drugs involved in the offense, Mr. McMillin's base offense level was not lowered as a result of the changes to the Drug Quantity Table at §2D1.1. Therefore, he is not eligible for a sentence reduction pursuant to Amendment 782.




Except as otherwise provided, all provisions of the judgment dated _____ shall remain in effect.

IT IS SO ORDERED.

Order Date: 06/29/2016

Effective Date: _____
(if different from order date)


LARRY J. MCKINNEY, JUDGE
United States District Court
Southern District of Indiana

Distribution:

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